

105TH CONGRESS  
1ST SESSION

# S. 1485

To require the Secretary of the Treasury to mint coins in commemoration of Associate Justice Thurgood Marshall, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 1997

Mr. DASCHLE (for himself and Ms. MOSELEY-BRAUN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To require the Secretary of the Treasury to mint coins in commemoration of Associate Justice Thurgood Marshall, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Thurgood Marshall  
5 Commemorative Coin Act of 1997”.

6 **SEC. 2. COIN SPECIFICATIONS.**

7 (a) \$1 SILVER COINS.—The Secretary of the Treas-  
8 ury (hereafter in this Act referred to as the “Secretary”)

1 shall mint and issue not more than 400,000 1 dollar coins,  
2 which shall—

3 (1) weigh 26.73 grams;

4 (2) have a diameter of 1.500 inches; and

5 (3) contain 90 percent silver and 10 percent  
6 copper.

7 (b) **LEGAL TENDER.**—The coins minted under this  
8 Act shall be legal tender, as provided in section 5103 of  
9 title 31, United States Code.

10 (c) **NUMISMATIC ITEMS.**—For purposes of section  
11 5134 of title 31, United States Code, all coins minted  
12 under this Act shall be considered to be numismatic items.

13 **SEC. 3. SOURCES OF BULLION.**

14 The Secretary shall obtain silver for minting coins  
15 under this Act only from stockpiles established under the  
16 Strategic and Critical Materials Stock Piling Act.

17 **SEC. 4. DESIGN OF COINS.**

18 (a) **DESIGN REQUIREMENTS.**—

19 (1) **IN GENERAL.**—The design of the coins  
20 minted under this Act shall be emblematic of the  
21 tenure of Associate Justice Thurgood Marshall on  
22 the Supreme Court of the United States.

23 (2) **DESIGNATION AND INSCRIPTIONS.**—On  
24 each coin minted under this Act there shall be—

25 (A) a designation of the value of the coin;

1 (B) an inscription of the year; and

2 (C) inscriptions of the words “Liberty”,  
3 “In God We Trust”, “United States of Amer-  
4 ica”, and “E Pluribus Unum”.

5 (b) SELECTION.—The design for the coins minted  
6 under this Act shall be—

7 (1) selected by the Secretary after consultation  
8 with—

9 (A) the Supreme Court Historical Society;

10 (B) the family of the late Thurgood Mar-  
11 shall; and

12 (C) the Commission of Fine Arts; and

13 (2) reviewed by the Citizens Commemorative  
14 Coin Advisory Committee.

15 **SEC. 5. ISSUANCE OF COINS.**

16 (a) QUALITY OF COINS.—Coins minted under this  
17 Act shall be issued in uncirculated and proof qualities.

18 (b) MINT FACILITY.—Only 1 facility of the United  
19 States Mint may be used to strike any particular quality  
20 of the coins minted under this Act.

21 (c) PERIOD FOR ISSUANCE.—The Secretary may  
22 issue coins minted under this Act only during the 1-year  
23 period beginning 90 days after the date of enactment of  
24 this Act.

1 **SEC. 6. SALE OF COINS.**

2 (a) SALE PRICE.—The coins issued under this Act  
3 shall be sold by the Secretary at a price equal to the sum  
4 of—

5 (1) the face value of the coins;

6 (2) the surcharge provided for in subsection (d)  
7 with respect to such coins; and

8 (3) the cost of designing and issuing the coins  
9 (including labor, materials, dies, use of machinery,  
10 overhead expenses, marketing, and shipping).

11 (b) BULK SALES.—The Secretary shall make bulk  
12 sales of the coins issued under this Act at a reasonable  
13 discount.

14 (c) PREPAID ORDERS.—

15 (1) IN GENERAL.—The Secretary shall accept  
16 prepaid orders for the coins minted under this Act  
17 before the issuance of such coins.

18 (2) DISCOUNT.—Sale prices with respect to pre-  
19 paid orders under paragraph (1) shall be at a rea-  
20 sonable discount.

21 (d) SURCHARGES.—All sales shall include a sur-  
22 charge of \$10 per coin.

23 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**  
24 **TIONS.**

25 (a) IN GENERAL.—Except as provided in subsection  
26 (b), no provision of law governing procurement or public

1 contracts shall be applicable to the procurement of goods  
 2 and services necessary for carrying out this Act.

3 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-  
 4 section (a) shall not relieve any person entering into a con-  
 5 tract under the authority of this Act from complying with  
 6 any law relating to equal employment opportunity.

7 **SEC. 8. DISTRIBUTION OF SURCHARGES.**

8 (a) IN GENERAL.—All surcharges received by the  
 9 Secretary from the sale of coins issued under this Act shall  
 10 be promptly paid by the Secretary to the Historical Pres-  
 11 ervation Committee of the Supreme Court Historical Soci-  
 12 ety for the purpose of collecting and preserving the phys-  
 13 ical history of the Supreme Court, including—

14 (1) research on the history of the entire judicial  
 15 branch of the Federal Government, and public dis-  
 16 semination of that research;

17 (2) the acquisition of objects and documents re-  
 18 lating to the events associated with the Supreme  
 19 Court of the United States in the course of the his-  
 20 tory of the Court; and

21 (3) the acquisition and preservation of docu-  
 22 ments, portraits, and period furnishings of historical  
 23 significance affecting the history of the Supreme  
 24 Court for the inspiration and benefit of the people  
 25 of the United States.

1 (b) AUDITS.—The Comptroller General of the United  
 2 States shall have the right to examine such books, records,  
 3 documents, and other data of the Supreme Court Histori-  
 4 cal Society as may be related to the expenditures of  
 5 amounts paid under subsection (a).

6 **SEC. 9. FINANCIAL ASSURANCES.**

7 (a) NO NET COST TO THE GOVERNMENT.—The Sec-  
 8 retary shall take such actions as may be necessary to en-  
 9 sure that minting and issuing coins under this Act will  
 10 not result in any net cost to the United States Govern-  
 11 ment.

12 (b) PAYMENT FOR COINS.—A coin shall not be issued  
 13 under this Act unless the Secretary has received—

14 (1) full payment for the coin;

15 (2) security satisfactory to the Secretary to in-  
 16 demnify the United States for full payment; or

17 (3) a guarantee of full payment satisfactory to  
 18 the Secretary from a depository institution, the de-  
 19 posits of which are insured by the Federal Deposit  
 20 Insurance Corporation or the National Credit Union  
 21 Administration Board.

